



US Army Corps
of Engineers
Seattle District



Joint Public Notice

Application for a Department of the Army Permit and a Washington Department of Ecology Water Quality Certification and/or Coastal Zone Management Consistency Concurrence

US Army Corps of Engineers
Regulatory Branch
Post Office Box 3755
Seattle, WA 98124-3755
Telephone (206) 766-6438
Attn: Amy Klein, Project Manager

WA Department of Ecology
SEA Program
Post Office Box 47600
Olympia, WA 98504-7600
Telephone (360) 407-6068
Attn: SEA Program, Federal Permit
Coordinator

Public Notice Date: November 13, 2008
Expiration Date: December 12, 2008

Reference No.: NWS-2008-0956-NO
Name: City of Des Moines North Marina
Project

Interested parties are hereby notified that the U.S. Army Corps of Engineers (Corps) and the Washington Department of Ecology (Ecology) have received an application to perform work in waters of the United States as described below and shown on the enclosed drawings.

The Corps will review the work in accordance with Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act. Ecology will review the work pursuant to Section 401 of the CWA, with applicable provisions of State water pollution control laws and the Coastal Zone Management Act.

APPLICANT: City of Des Moines Marina
22307 Dock Street
Des Moines, Washington 98198

ATTN: Mr. Joe Dusenbury
Telephone: (206) 824-5700

AGENT: Shannon & Wilson, Incorporated
400 North 34th Street, Suite 100
Post Office Box 300303
Seattle, Washington, 98103

ATTN: Ms. Katie Walter
Telephone: (206) 696-6738

LOCATION: In East Passage, Puget Sound at 22307 Dock Street, Des Moines, King County, Washington

WORK:

Waterfront Promenade and bulkhead replacement: Approximately 472 linear feet of an existing bulkhead will be removed and relocated up to four feet waterward of its existing location and approximately 312 linear feet of bulkhead up to 15 feet landward of its existing location. The 725 linear-foot creosote-treated timber bulkhead will

be replaced with a 784 linear-foot steel sheetpile bulkhead. See Figure 5 for details. Bulkhead removal will also remove 91 creosote-treated timber piling. The new bulkhead will be 6-12 inches higher than the existing bulkhead in anticipation of impacts to water levels resulting from climate change.

Bulkhead relocation will require dredging of up to 2,400 cubic yards of sediment in the northeast corner of the marina and the placement of up to 1,500 cubic yards of rock material in front of the new bulkhead to reshape the slope. Dredged material will be disposed of at an approved upland facility. Other non-regulated work includes the excavation of up to 850 cubic yards of upland material in order to install the bulkhead landward of the existing location.

Activity Float: Install a 2,592 square-foot concrete activity float with 13% grating and 3 steel guide pipe piling. The activity float is proposed to add ADA-approved access to moorage floats, boat access to docks, gathering area for on-water marina events, and potentially a restroom, septic pump-out holding tank, benches, and/or a storage rack of dock carts. Remove 5,168 square feet of timber deck, 103 creosote-treated timber piling and 3 support floats (400 sf, 180 sf, and 896 sf).

Travel Lift: Dredge up to 1,500 cubic yards of sediment in front of the existing bulkhead for a replacement travel lift. Dredged material will be disposed of at an approved upland facility. Remove 1,291 square feet of creosote-treated timber pier and deck. Remove 28 creosote treated timber piling. Install a 150 square-foot concrete travel lift pier and a 120 square-foot staging float with 7 18-inch diameter steel piling. Other non-regulated work includes excavation of up to 650 cubic yards of soil from behind the existing bulkhead to support the replacement travel lift and bulkhead relocation.

Remove 203 square feet of tidal grid by removing 150 square feet of creosote treated lumber and 12 creosote-treated piling.

Other Work: See Figure 2 for description of other upland work.

PURPOSE: To provide public recreation via a waterside promenade, a community gathering area, and reconfiguration of a marina, and to provide maintenance of a deteriorating bulkhead.

Dredged Material Management Program Review: The proposed dredged material proposal has been reviewed by the DMMP agencies. They have determined that although 3900 cubic yards of material will be dredged, only about 600 square feet of the dredging area will have a newly exposed area. They have determined that no testing of newly exposed sediment is required. All dredged material will be disposed of at an approved upland facility.

ADDITIONAL INFORMATION – Copies of this public notice, which have been mailed or otherwise physically distributed, feature project drawings in black and white. The electronic version also contains photographs of the area, which we think more accurately communicates the scope of project impacts. To access the electronic version of this public notice, go to the Seattle District's web page at <http://www.nws.usace.army.mil/> and scroll down the alphabetical listing of District elements, and click on "Regulatory" and then "Regulatory – Permits" for the Seattle District's Regulatory homepage. Select the prominently displayed "Public Notices" heading and a list of recently-issued public notices will appear, in chronological order of the date of issuance. Select and view the listing for this project.

MITIGATION: Up to 280 cubic yards of clean "fish mix" gravel will be placed on all reworked rock slopes. To mitigate for the loss of waters of the U.S. from relocating 472 linear feet of bulkhead up to four feet waterward of the existing location, 312 linear feet of bulkhead will be located up to 15 feet landward of the existing bulkhead.

ENDANGERED SPECIES: The Endangered Species Act (ESA) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) pursuant to Section 7 of ESA on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or any designated critical habitat. After receipt of comments from this public notice, the U.S. Army Corps of Engineers will evaluate the potential impacts to proposed and/or listed species and their designated critical habitat.

ESSENTIAL FISH HABITAT: The Magnuson-Stevens Fishery Conservation and Management Act, as amended by the Sustainable Fisheries Act of 1996, requires all Federal agencies to consult with the NMFS on all actions, or proposed actions, permitted, funded, or undertaken by the agency, that may adversely affect Essential Fish Habitat (EFH). The proposed action would impact EFH in the project area. If the U.S. Army Corps of Engineers (Corps) determines that the proposed action may adversely affect EFH for federally managed fisheries in Washington waters, the Corps will initiate EFH consultation with the NMFS. The Corps' final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

CULTURAL RESOURCES: The District Engineer has reviewed the latest published version of the National Register of Historic Places, lists of properties determined eligible and other sources of information. Due to the project area's position in the landscape (i.e. adjacent to a waterbody), there is the potential for unknown historic properties to occur in the project area. An historic properties investigation may be required during the permit review. The District Engineer invites responses to this public notice from Native American Nations or tribal governments; Federal, State, and local agencies; historical and archeological societies; and other parties likely to have knowledge of or concerns with historic properties in the area. This public notice initiates consultation under Section 106 of the National Historic Preservation Act with any Tribe that has information or concerns with historic properties in the proposed permit area.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

EVALUATION – CORPS - The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Native American Nations or tribal governments; Federal, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for the work. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

The described discharge will be evaluated for compliance with guidelines promulgated by the Environmental Protection Agency under authority of Section 404(b)(1) of the CWA. These guidelines require an alternatives analysis for any proposed discharge of dredged or fill material into waters of the United States.

EVALUATION—ECOLOGY: Ecology is soliciting comments from the public; Federal, Native American Nations or tribal governments, State, and local agencies and officials; and other interested parties in order to consider and evaluate the impacts of this activity. Ecology will be considering all comments to determine whether to certify or deny certification for the proposed project.

ADDITIONAL EVALUATION: This proposal is the subject of Shorelines Substantial Development Permit No. LUA08-026, being processed by City of Des Moines.

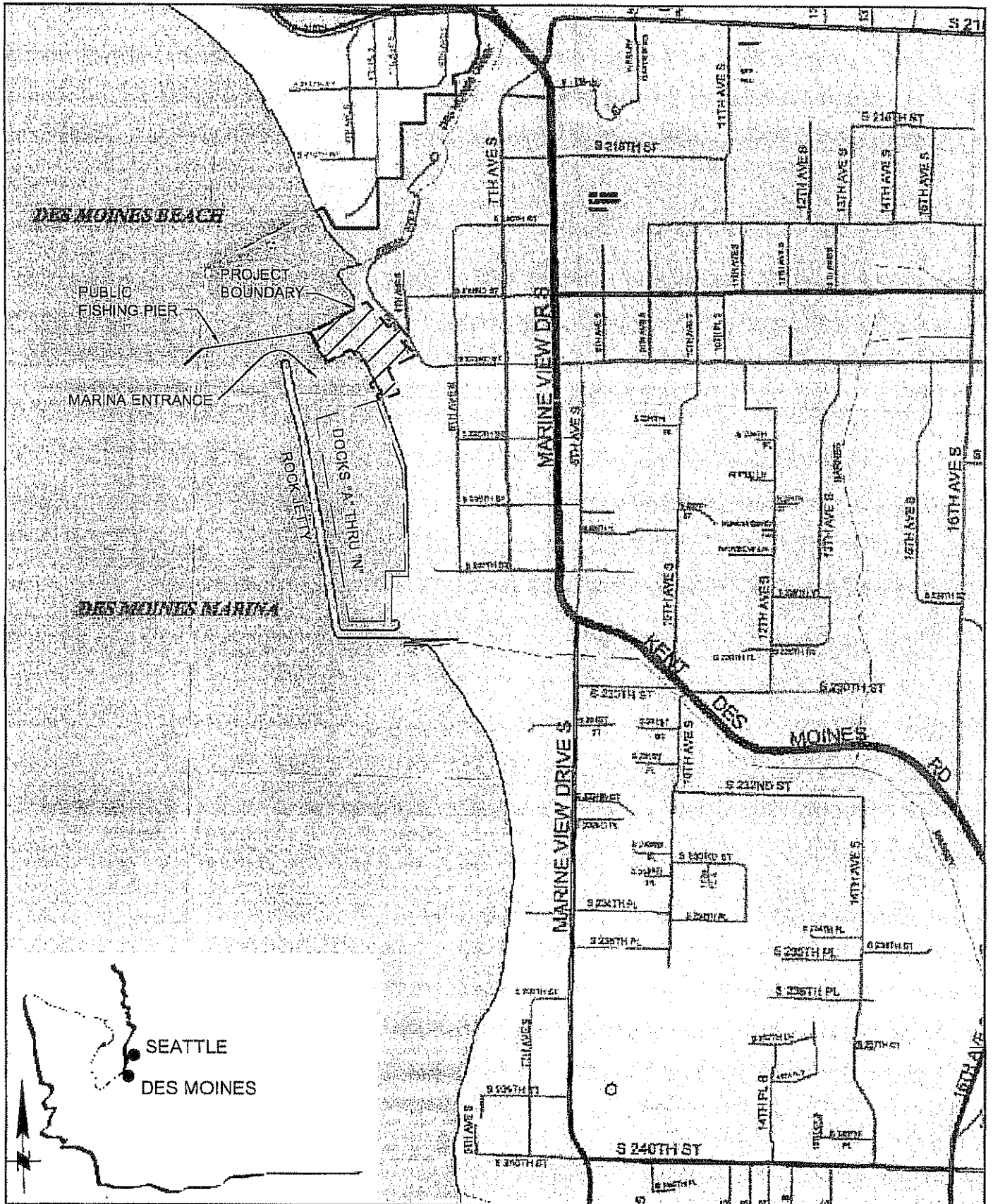
COMMENT AND REVIEW PERIOD: Conventional mail or e-mail comments on this public notice will be accepted and made part of the record and will be considered in determining whether it would be in the public interest to authorize this proposal. In order to be accepted, e-mail comments must originate from the author's e-mail account and must include on the subject line of the e-mail message the permit applicant's name and reference number as shown below. Either conventional mail or e-mail comments must include the permit applicant's name and reference number, as shown below, and the commentor's name, address, and phone number. All comments whether conventional mail or e-mail must reach this office, no later than the expiration date of this public notice to ensure consideration.

Corps comments: All e-mail comments should be sent to Amy.S.Klein@usace.army.mil. Conventional mail comments should be sent to U.S. Army Corps of Engineers, Regulatory Branch, Attn: Ms. Amy Klein, Post Office Box 3755, Seattle, Washington, 98124-3755.

Ecology Comments: Any person desiring to present views on the project pertaining to a request for water quality certification under Section 401 of the CWA and/or Coastal Zone Management consistency concurrence, may do so by submitting written comments to the following address: Department of Ecology, Attn: SEA program – Federal Permit Coordinator, P.O. Box 47600, Olympia, Washington, 98504-7600, or e-mail to ecyrefedpermits@ecy.wa.gov

To ensure proper consideration of all comments, responders must include the following name and reference number in the text of their comments: City of Des Moines North Marina Project

Encl: Figures (9); See website for site photographs.



PURPOSE: NORTH MARINA
REPAIR AND IMPROVEMENTS
DATUM: 47° 24' 04.07" N
122° 19' 46.02" W
MLLW 0 FT. / MHHW 11.4 FT.

APPLICATION PREPARED BY:
MOFFATT & NICHOL

CITY OF DES MOINES MARINA VICINITY MAP

IN : PUGET SOUND
AT : CITY OF DES MOINES
SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA
APPLICATION BY: CITY OF DES MOINES
SHEET: 1 OF 9 DATE: SEPT. 2008

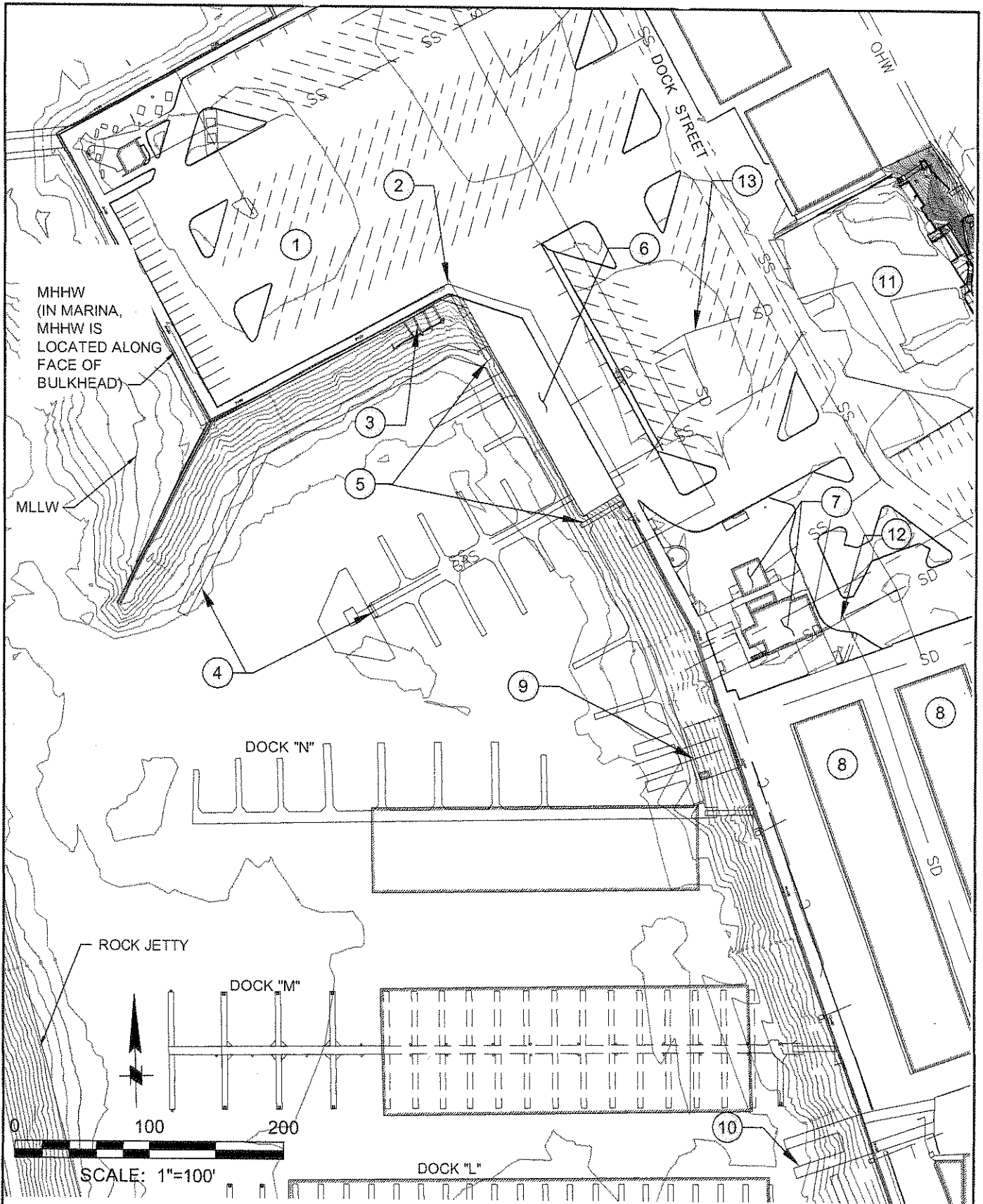
#	Existing Elements	Proposed Removal & Demolition	Proposed Improvements & Modifications
1	North Parking Area (paved)	As needed to support improvements	Re-striping, new parking islands with landscaping, new lighting, new sidewalk, new catch basin inserts for oil control treatment.
2	Bulkhead, Rock Slope, & Waterfront Promenade	Demolish 725 lf of the creosote-treated, timber, vertical bulkhead. Removal of 91 creosote-treated timber pilings. Some upland demolition will be necessary to improve the 725 lf waterfront promenade.	Replace with 770 lf of steel sheetpile bulkhead (784 lf with the travel lift nook included). Installation in the northeast corner of the marina will require dredging up to 2,400 cy of sediment from in front of the bulkhead and excavation of up to 850 cy of upland material from behind the bulkhead. Rework rock slope in front of new bulkhead in the northeast corner of the marina. May need to add up to 1,500 cy of rock material to existing rock slope. Modifications to the sidewalk, landscaping, and hardscape to improve the waterfront promenade.
3	Tidal Grid (203 sf)	Demolish 203 sf tidal grid (will remove ~150sf of creosote-treated lumber) & 12 creosote treated piles	None. Rework rock slope in this area.
4	Guest Moorage Area (includes floats & fuel dock)	None	None
5	Two Gangways (36' x 4' and 35' x 4')	The 2 partially grated treated timber gangways will be removed (total of 284 sf). Approximately 142 sf of the two gangways has small linear gaps but the existing % light transmission is unknown.	Replace with 2 new partially grated aluminum gangways (80' x 4' and 43' x 4') for a total of 492 sf. New gangways will both be designed to incorporate up to 30% light transmission through the grating.
6	Public Sling Launch: (~148'x31'), piles, & 3 support floats (50'x8', 30'x6', 112'x8').	Demolish 5,168 sf salt-treated timber deck, 103 creosote-treated timber piles. Remove 3 support floats (400 sf, 180 sf, 896 sf).	Replace 3 support floats with 1 new concrete activity float (100'x24' with a 16'x12' section at the south end for a total of 2,592 sf) and 3 steel guide pipe piles.
7	Harbormaster Building	None	None
8	Dry Shed Storage Buildings	Demolish between 10,370 to 15,300 sf of the west storage shed.	Pave
9	Dry Shed	None	None
10	Travel Lift Pier (30'x40')	Demolish 1,291 sf existing creosote-treated timber pier & deck, remove 28 creosote-treated timber piles.	Construct replacement concrete travel lift pier (150 sf) and staging float (120 sf) with 7 18-inch diameter steel piles between Docks M and N. Dredge up to 1,500 cy of sediment in front of existing bulkhead for new travel lift, excavate up to 650 cy of soil from behind existing bulkhead to support the travel lift.
11	Quartermaster Parking Area (gravel)	None	Pave (some will be pervious), stripe, install parking islands with landscaping, new lighting, new catch basins & inserts.
12	Storm drain pipe (36-inch diameter) to outfall	Some excavation required to abandon existing pipe and outfall.	Relocate & replace with new 36-inch diameter pipe and new StormFilter® treatment vault. Relocate & replace outfall in-kind further south.
13	Storm drain pipe (8-inch diameter)	Excavate as needed to support replacement.	Replace with 8-inch diameter pipe

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REPAIR AND IMPROVEMENTS
DATUM: 47224' 06.5" N
122219' 47.3" W
MLLW 0 FT. / MHHW 11.4 FT.
APPLICATION PREPARED BY:
MOFFATT & NICHOL

**CITY OF DES MOINES
MARINA
PROJECT LEGEND &
DETAILS**

IN : PUGET SOUND
AT: CITY OF DES MOINES
SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA
APPLICATION BY: CITY OF DES MOINES
SHEET: 2 of 9 DATE: SEPT. 2008

NOV 7 2008



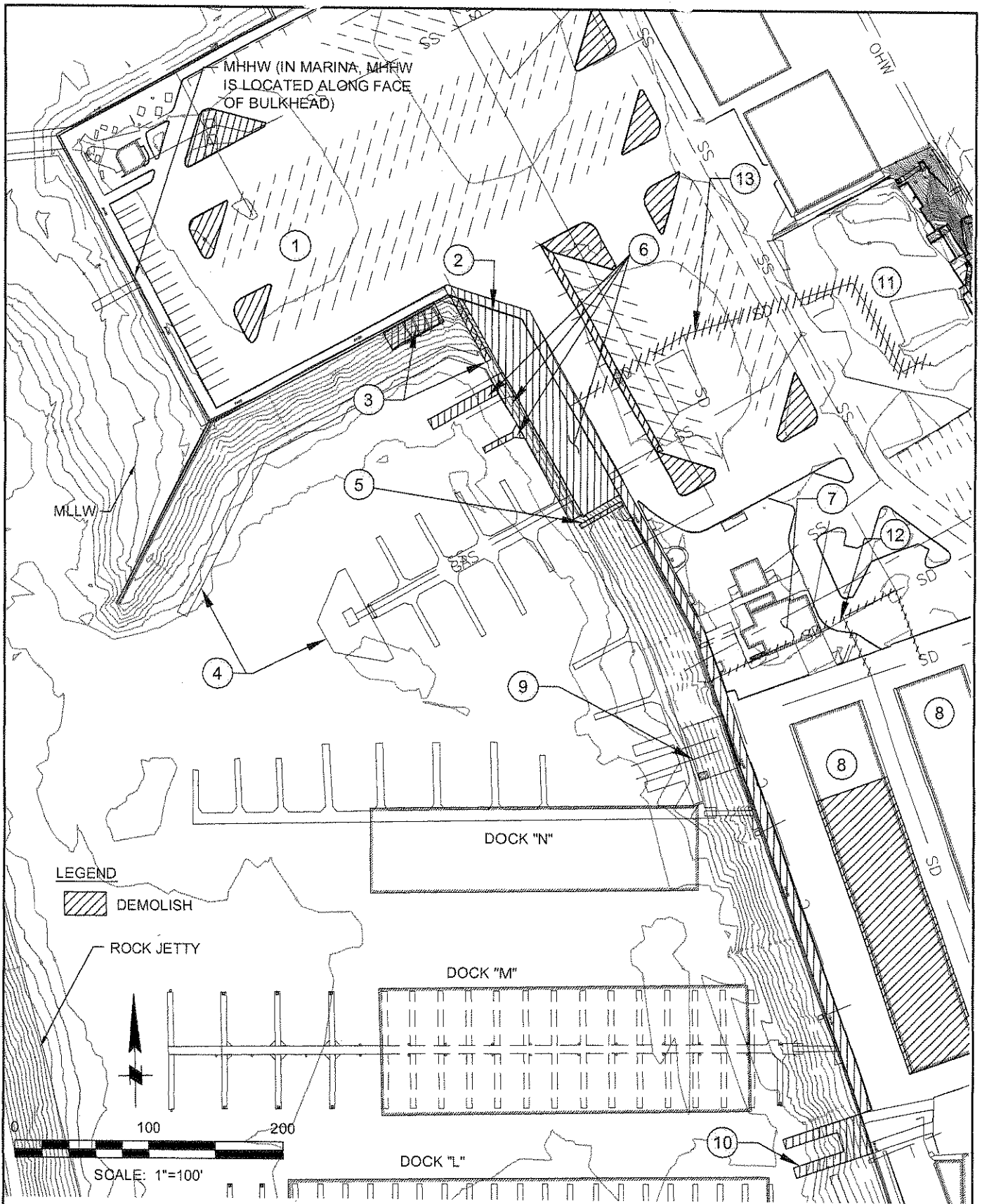
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DATUM: 47° 24' 04.07" N
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APPLICATION PREPARED BY:
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CITY OF DES MOINES MARINA EXISTING PLAN VIEW

IN : PUGET SOUND
AT : CITY OF DES MOINES
SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA
APPLICATION BY: CITY OF DES MOINES
SHEET: 3 OF 9 DATE: SEPT. 2008

NOV 7 2008



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CITY OF DES MOINES
MARINA

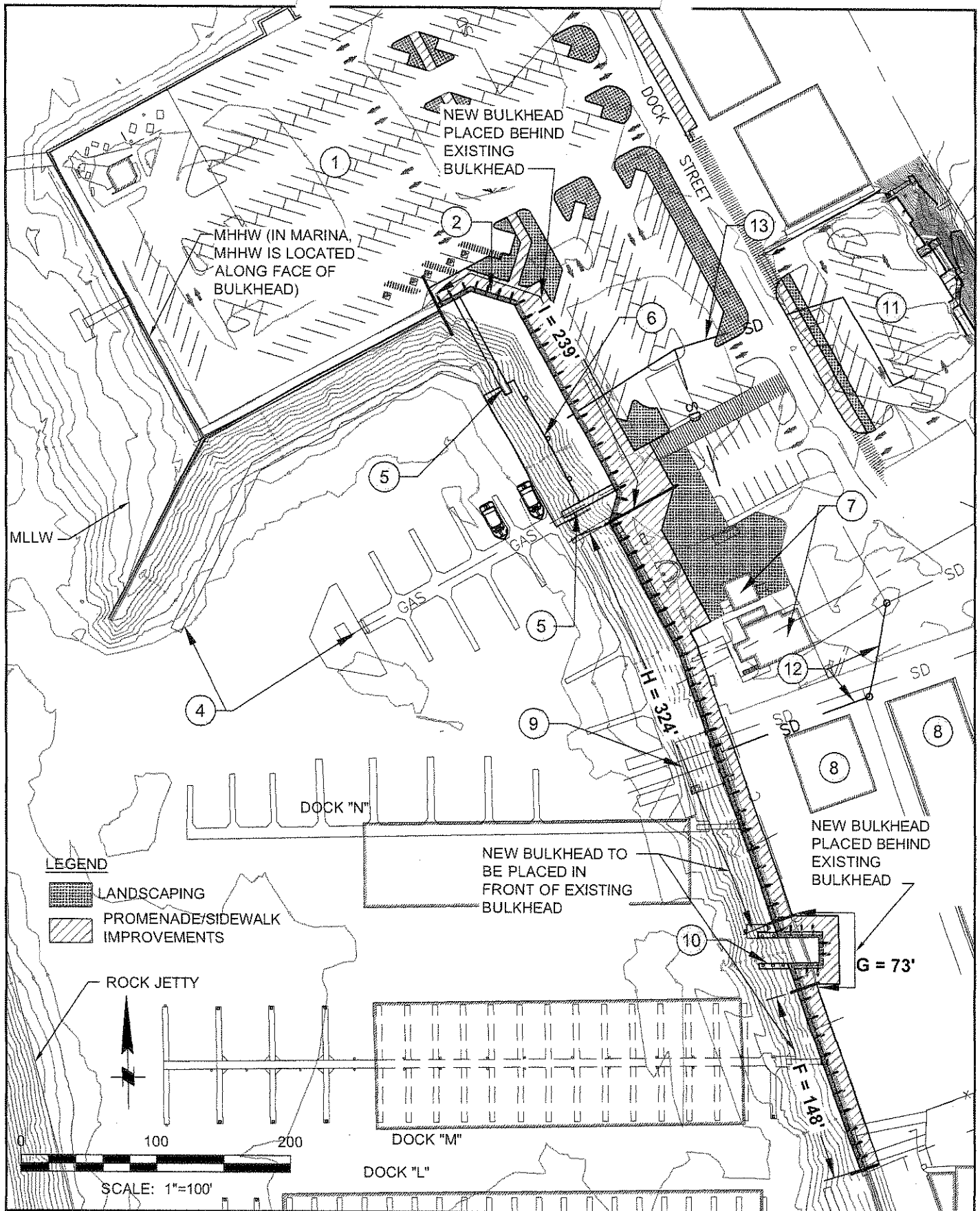
REMOVAL / DEMOLITION
PLAN VIEW

IN : PUGET SOUND
AT: CITY OF DES MOINES

SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA

APPLICATION BY: CITY OF DES MOINES
SHEET: 4 OF 9 DATE: SEPT. 2008

NOV 7 2008



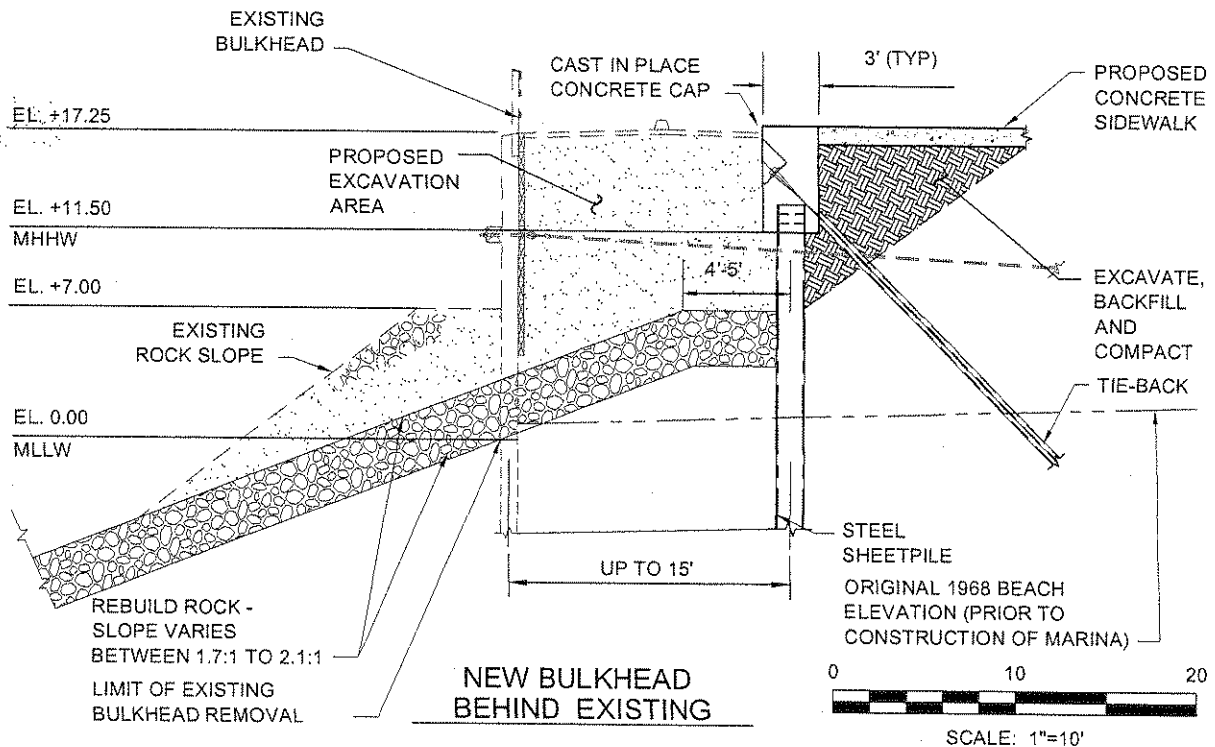
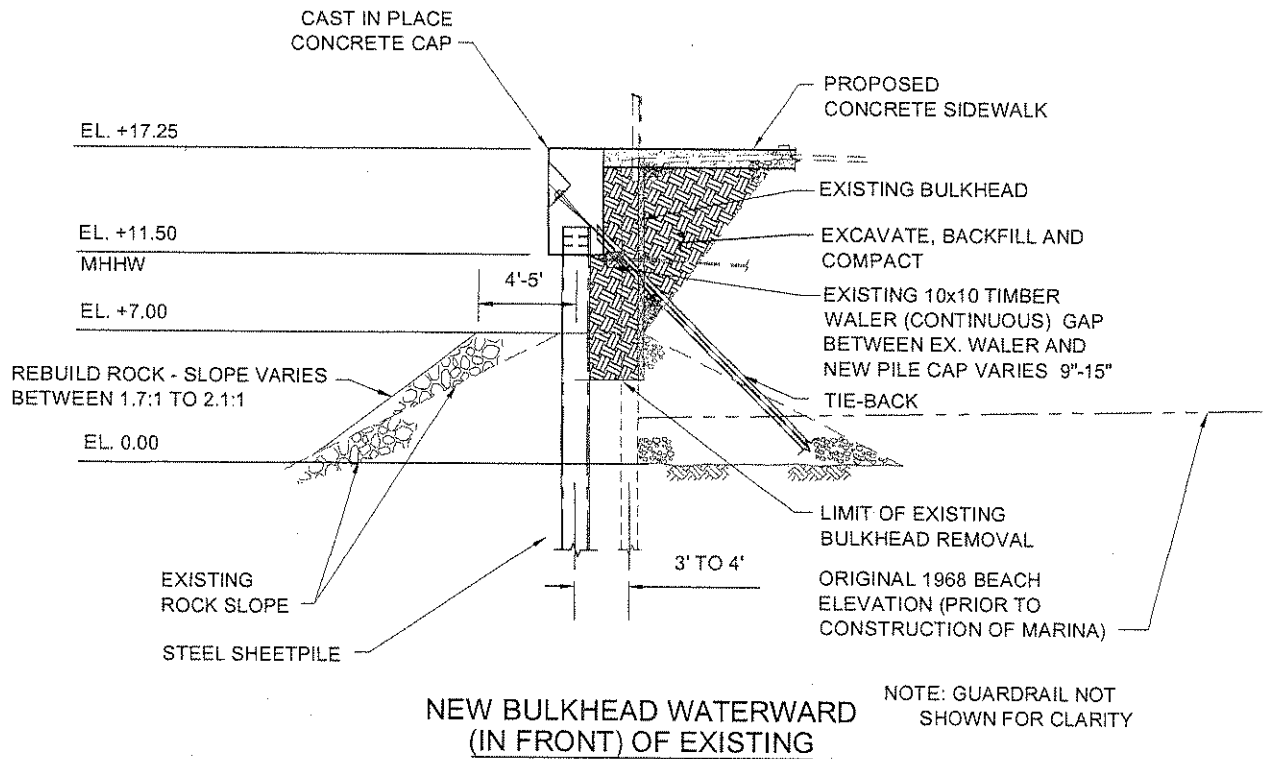
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CITY OF DES MOINES MARINA PROPOSED PLAN VIEW

IN : PUGET SOUND
 AT: CITY OF DES MOINES
 SITE ADDRESS: 22307 DOCK AVENUE SOUTH
 COUNTY OF: KING STATE: WA
 APPLICATION BY: CITY OF DES MOINES
 SHEET: 5 OF 9
 DATE: SEPT. 2008

NOV 7 2008



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CITY OF DES MOINES
MARINA

BULKHEAD
TYPICAL SECTION

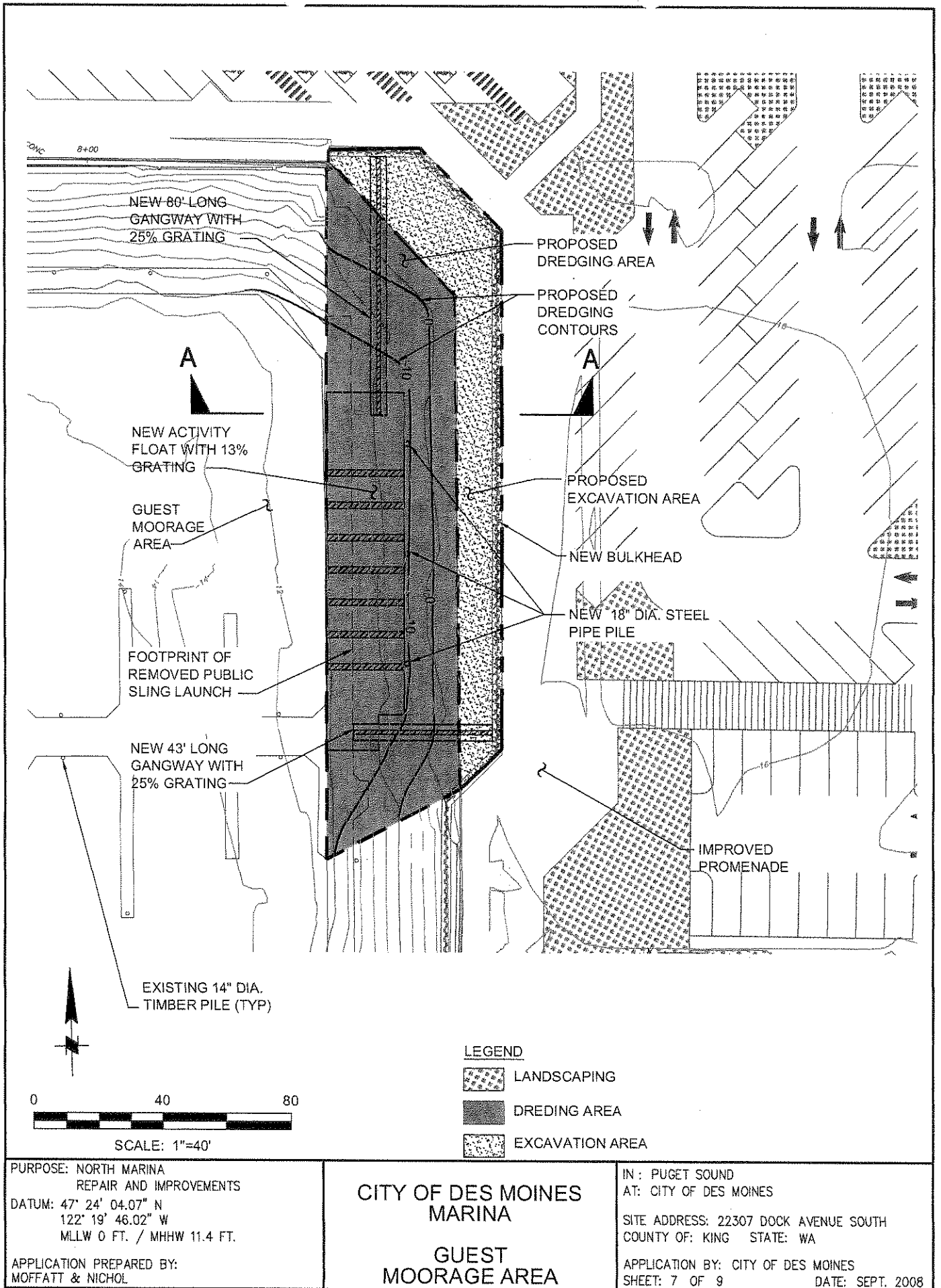
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SITE ADDRESS: 22307 DOCK AVENUE SOUTH
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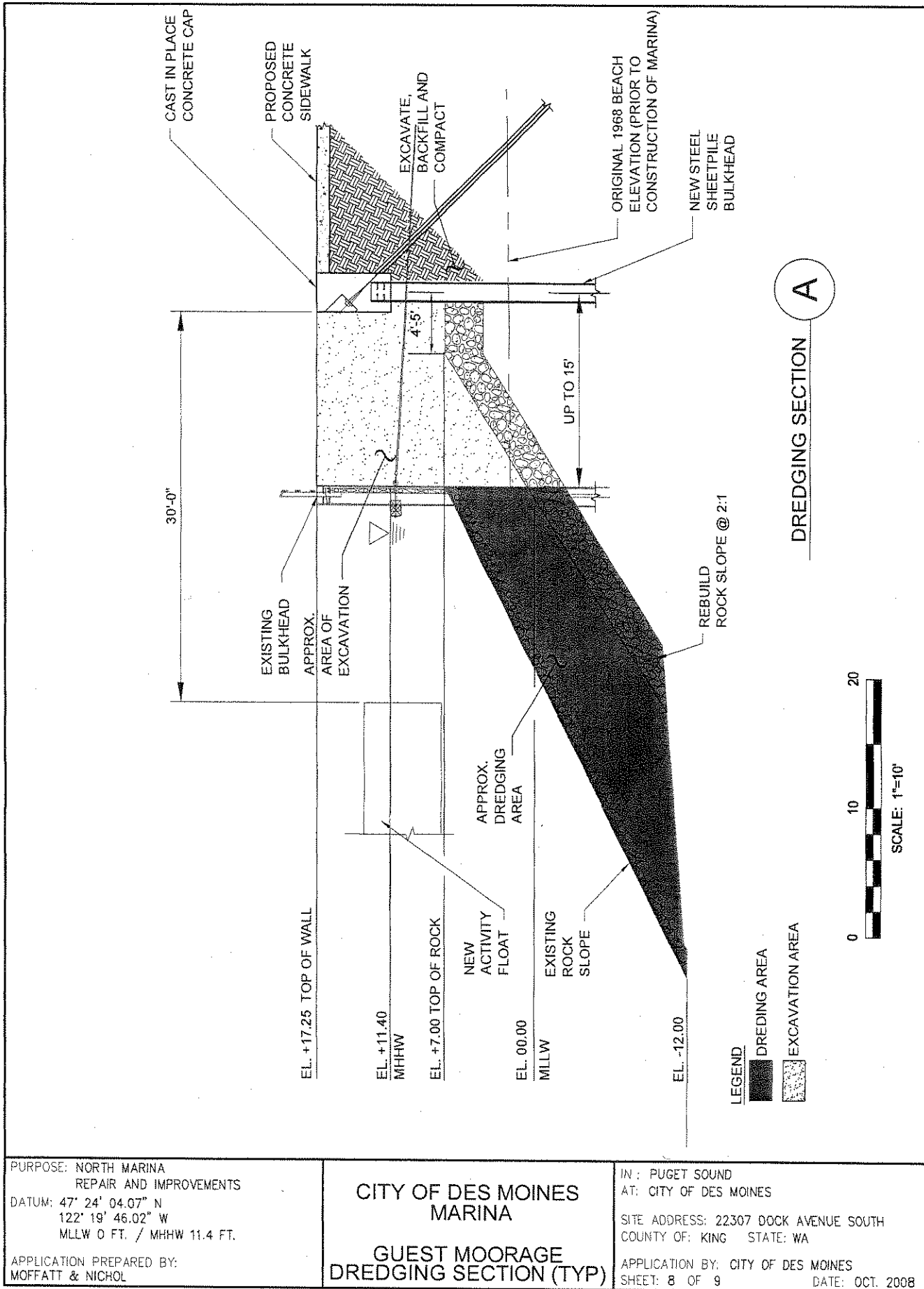
APPLICATION BY: CITY OF DES MOINES

SHEET: 6 OF 9 DATE: OCT. 2008

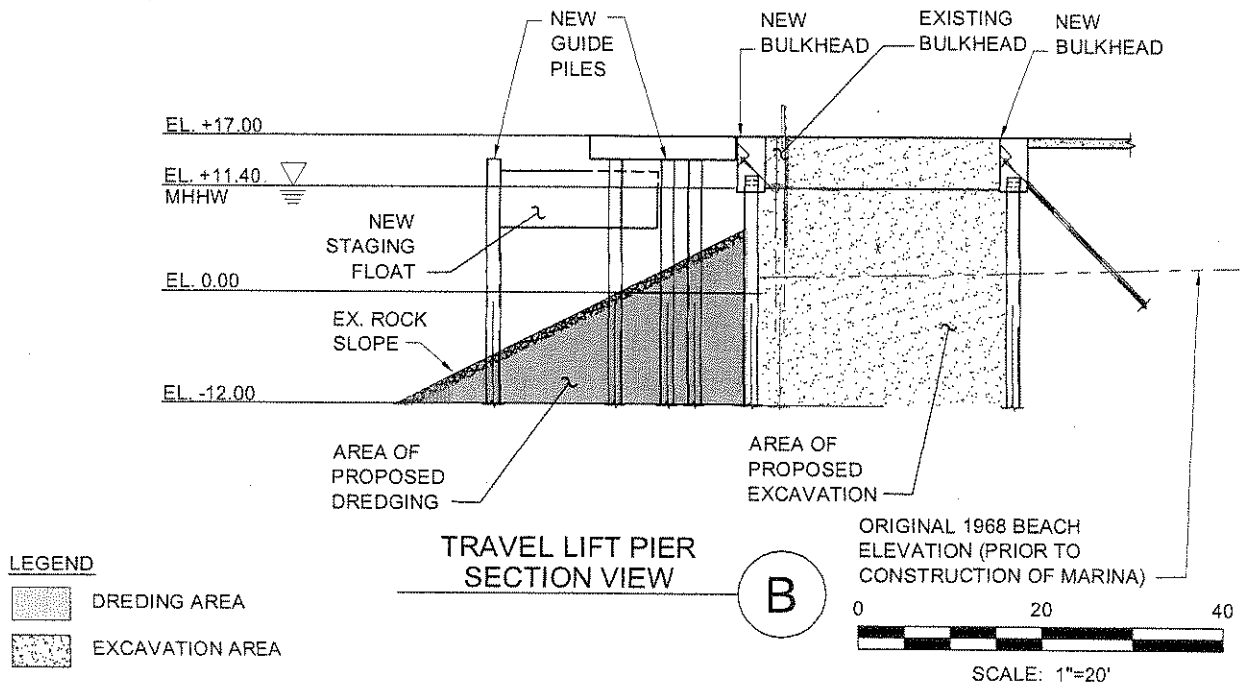
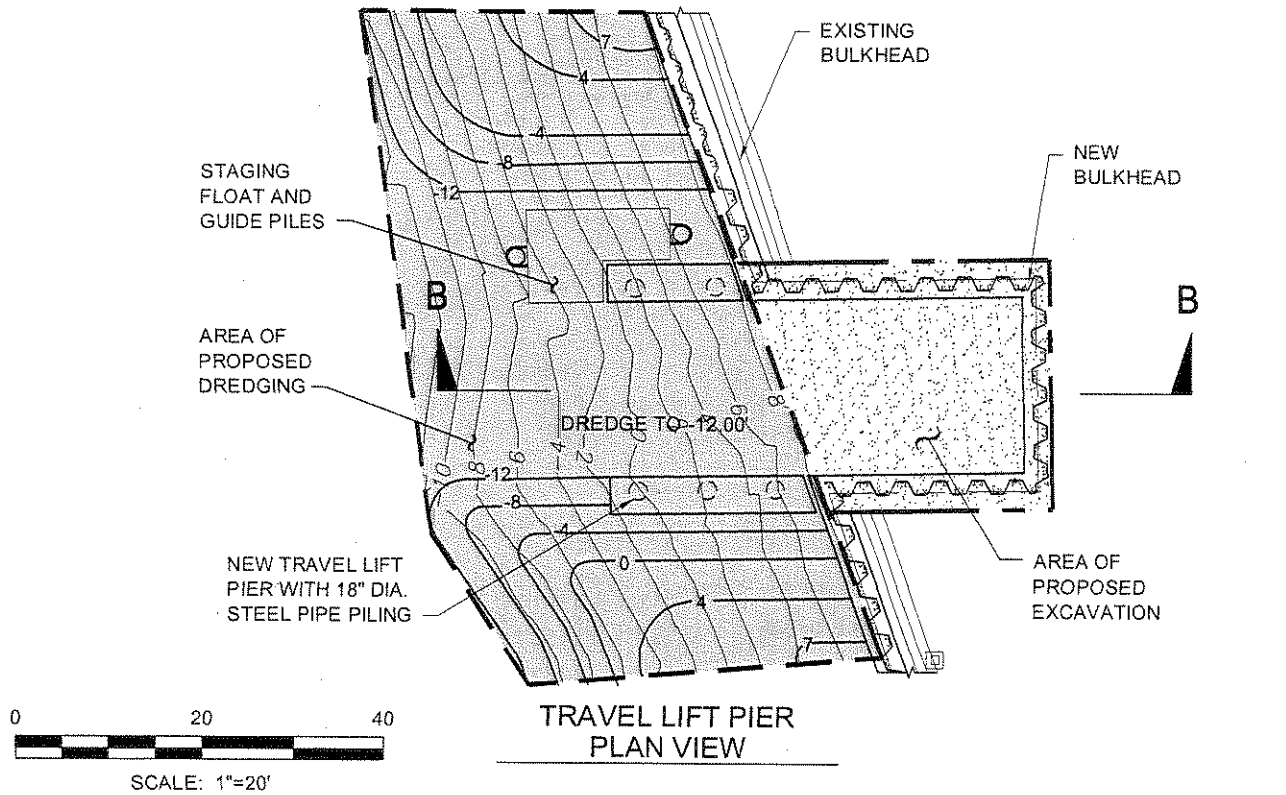
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File: P:\0513 - Des Moines North Marina Combined Projects\Replace Bulkhead Proposal (2007)\Permitting\JARPA Drawings\JARPA Drawing513-Figure 9.dwg
Plotted: Oct 20, 2008 - 12:05pm



LEGEND

- DREDGING AREA
- EXCAVATION AREA

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CITY OF DES MOINES
MARINA

TRAVEL LIFT PIER
SECTION

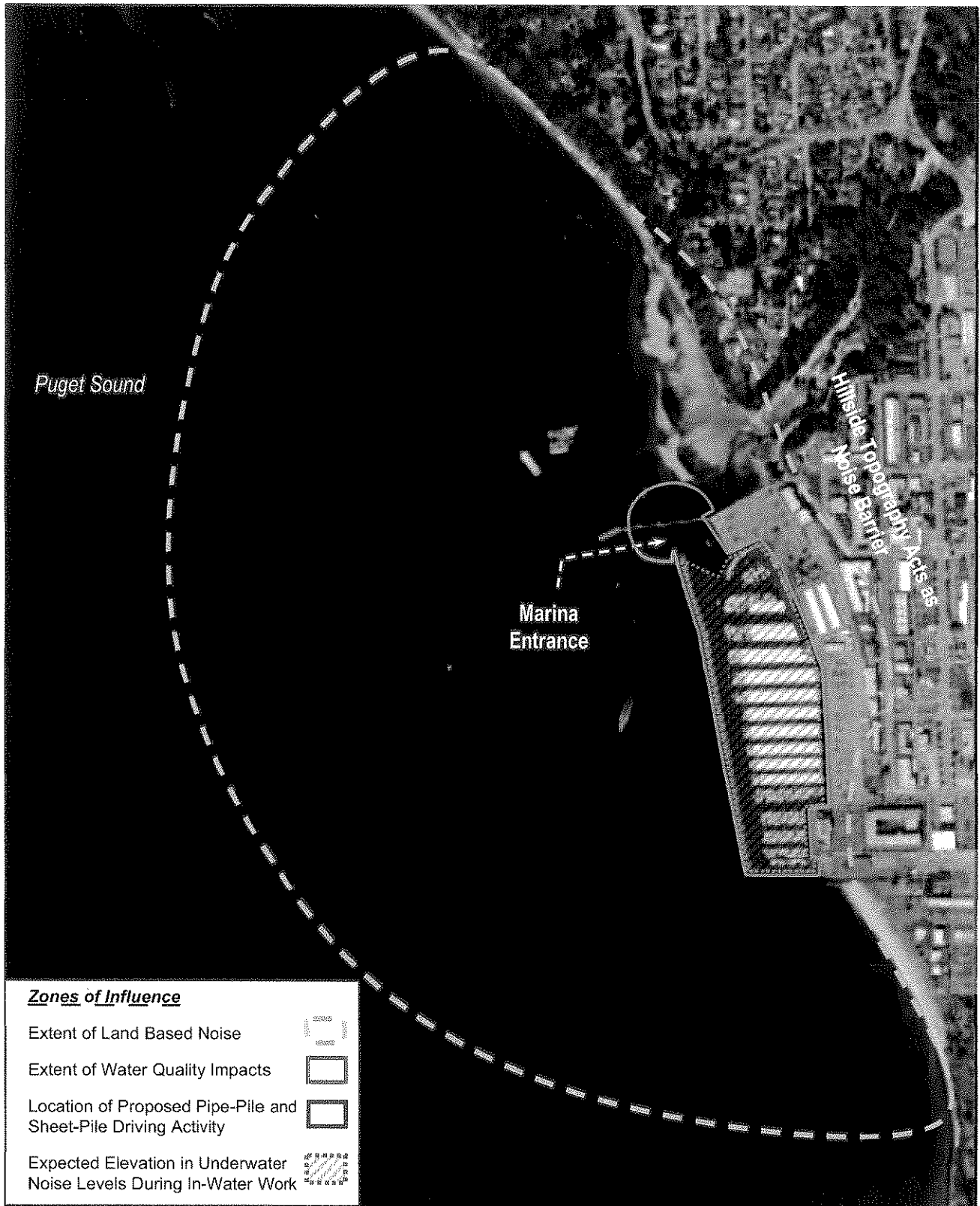
IN: PUGET SOUND
AT: CITY OF DES MOINES

SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA

APPLICATION BY: CITY OF DES MOINES
SHEET: 9 OF 9

DATE: OCT. 2008

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Zones of Influence

Extent of Land Based Noise



Extent of Water Quality Impacts



Location of Proposed Pipe-Pile and Sheet-Pile Driving Activity



Expected Elevation in Underwater Noise Levels During In-Water Work



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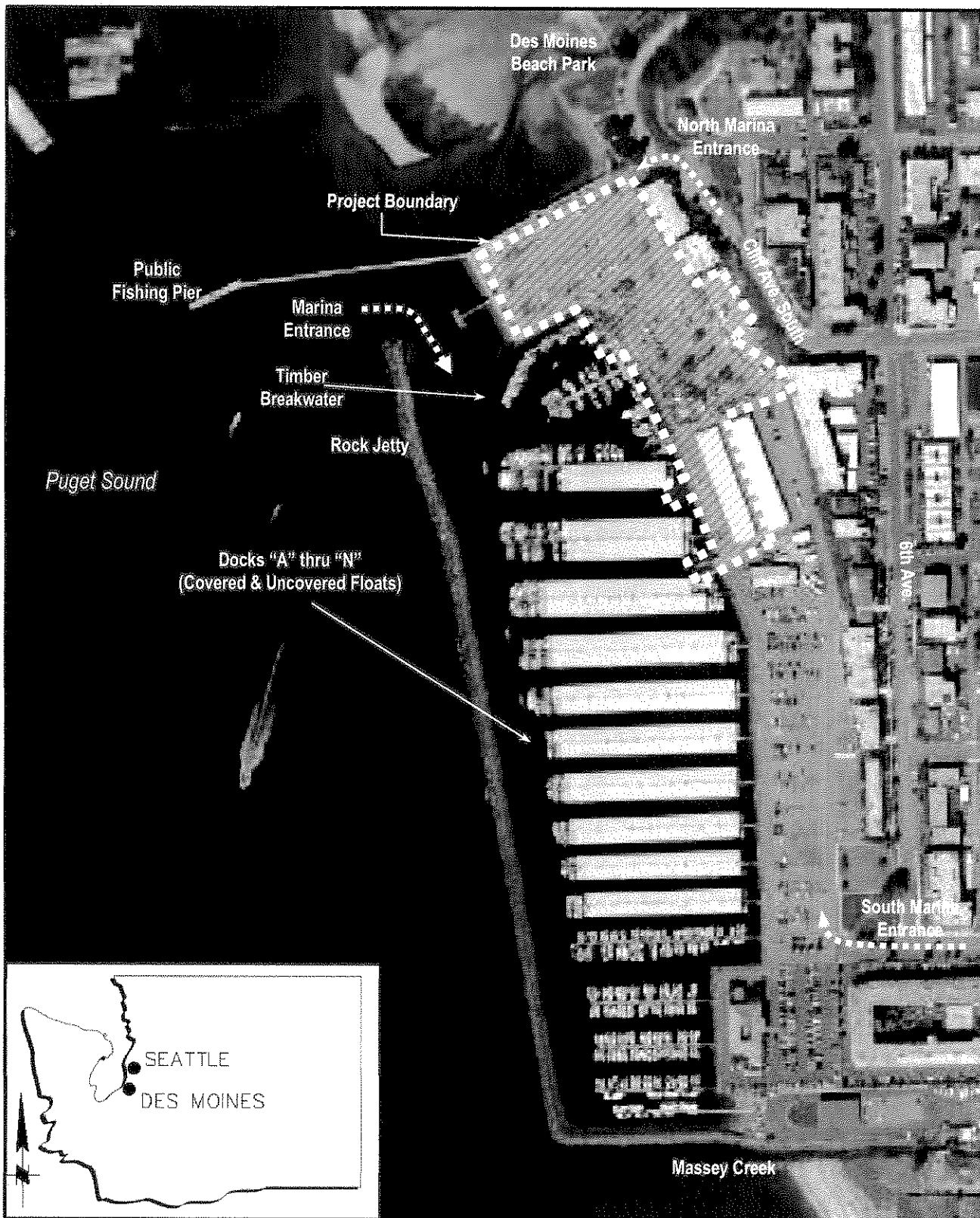
**CITY OF DES MOINES
MARINA
PROJECT ACTION AREA**

IN : PUGET SOUND
AT: CITY OF DES MOINES

SITE ADDRESS: 22307 DOCK AVENUE SOUTH
COUNTY OF: KING STATE: WA

APPLICATION BY: CITY OF DES MOINES
SHEET: 42 of 42 DATE: MAY 2008

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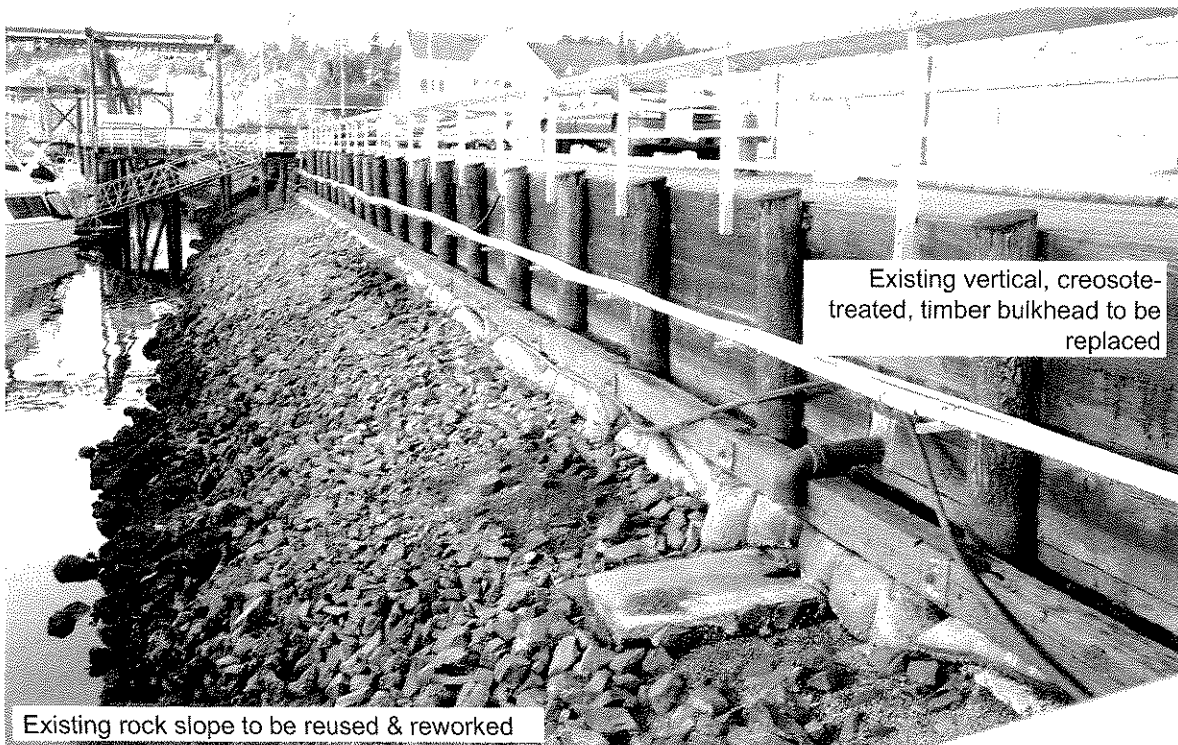
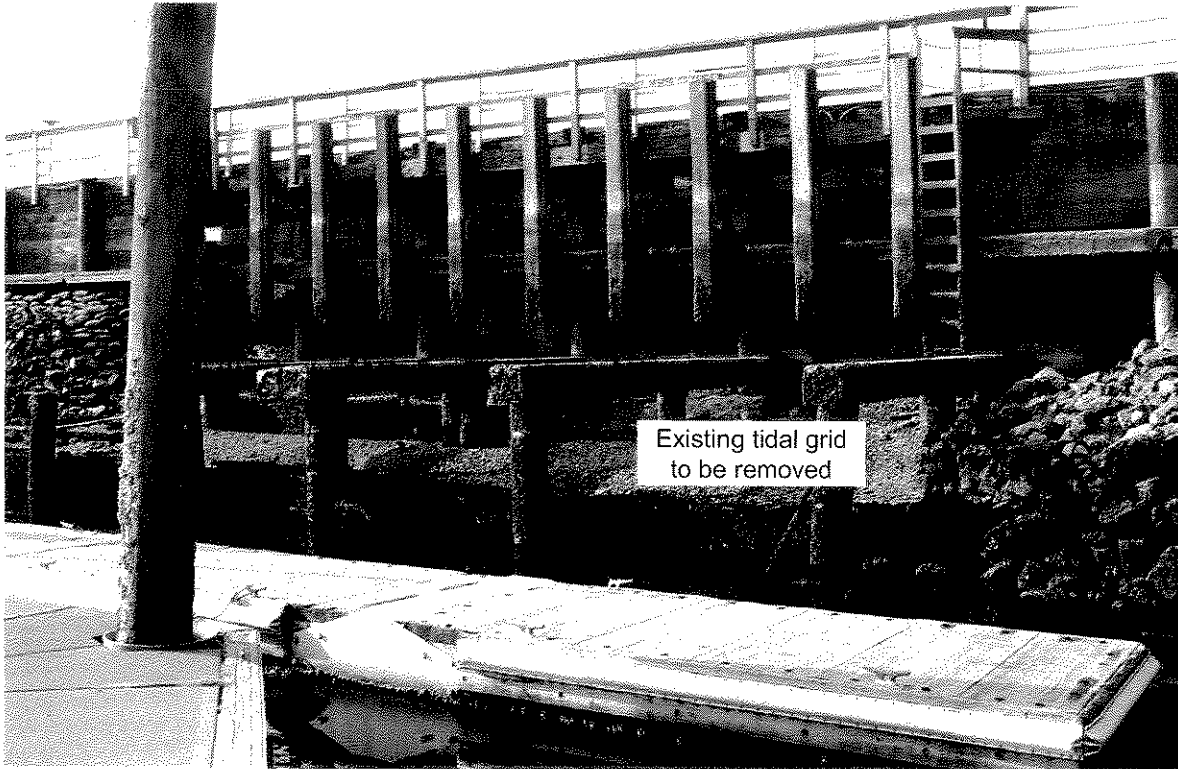


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**CITY OF DES MOINES
MARINA
VICINITY MAP**

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COUNTY OF: KING STATE: WA
APPLICATION BY: CITY OF DES MOINES
SHEET: 1 of 12 DATE: MAY 2008

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PURPOSE: NORTH MARINA
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CITY OF DES MOINES MARINA

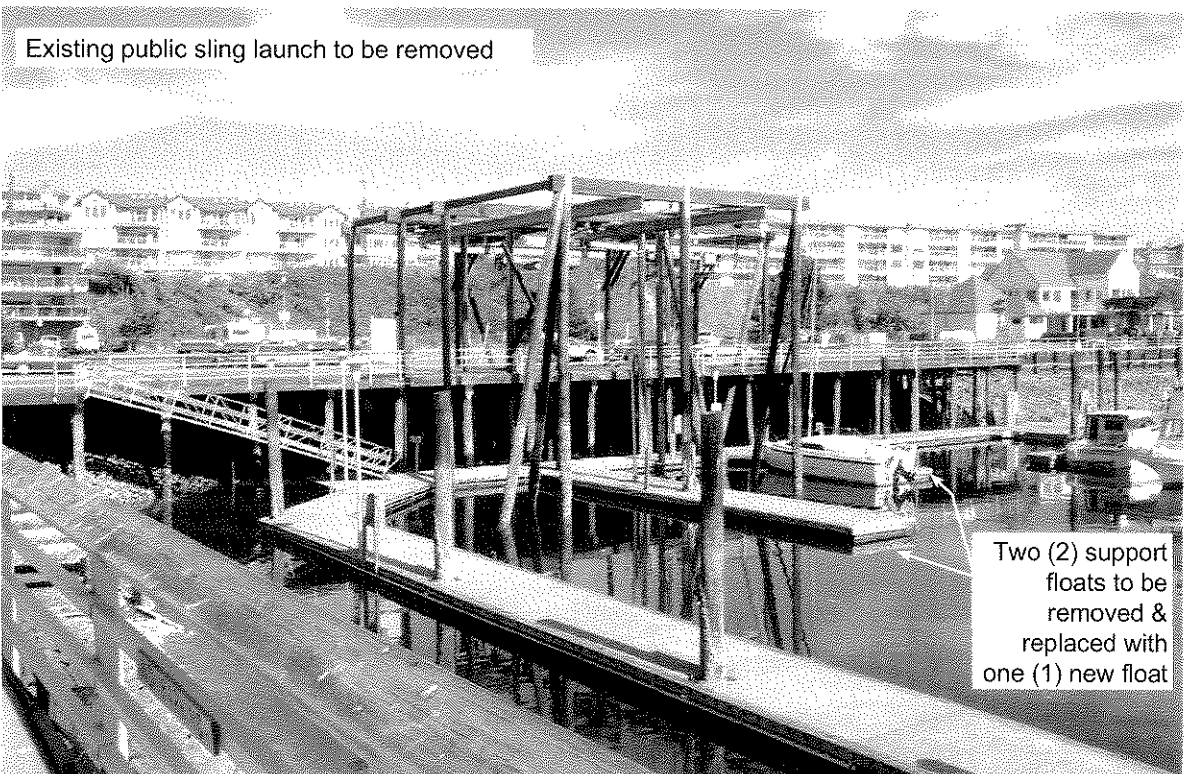
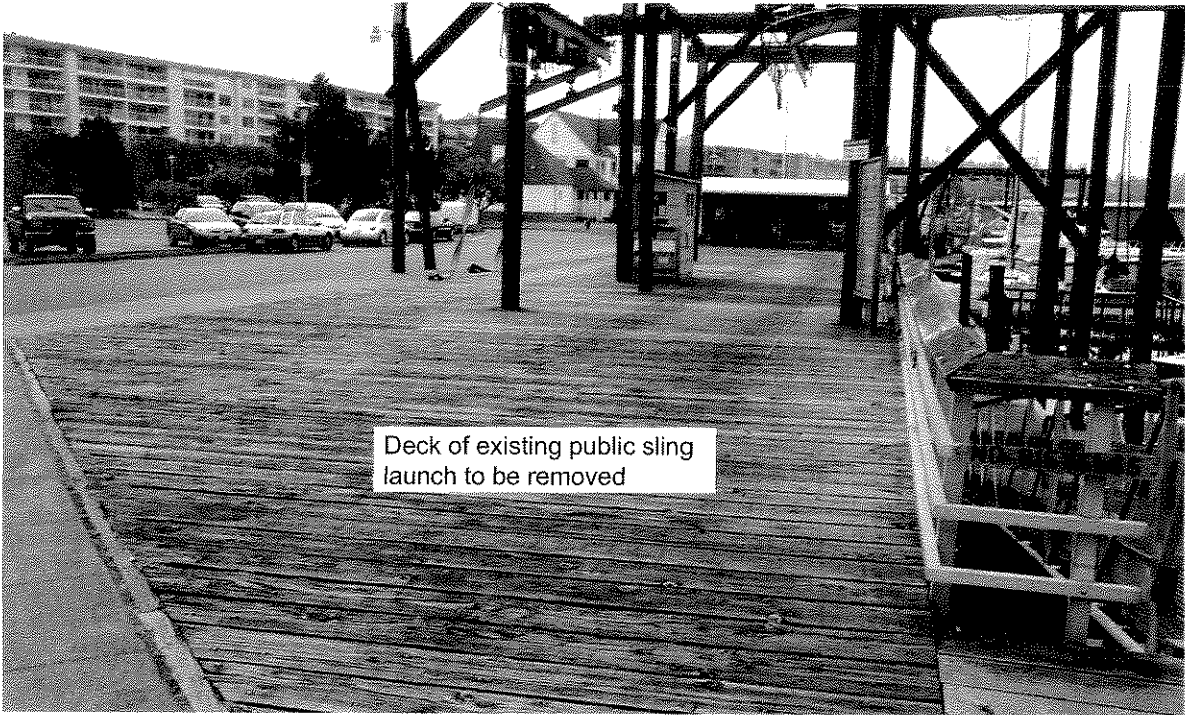
EXISTING SITE PHOTOS

IN : PUGET SOUND
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APPLICATION BY: CITY OF DES MOINES
SHEET: 4 of 12 DATE: MAY 2008

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PURPOSE: NORTH MARINA
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APPLICATION BY: CITY OF DES MOINES
SHEET: 5 of 12

DATE: MAY 2008

P5495



Side-view of existing timber travel lift pier



Top-view of existing timber travel lift pier

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REPAIR AND IMPROVEMENTS

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APPLICATION BY: CITY OF DES MOINES
SHEET: 6 of 12

DATE: MAY 2008

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